

Remarks

The Examiner stated the oath was defective and required a new oath that identifies this application by application number and filing date be submitted. Applicants are in the process of executing the new oath in accordance with the Examiner's requirements and will forward it once it has been fully executed.

The Examiner rejected claims 1-14 and 16-26 under 35 USC 102 as being anticipated by U.S. Patent 5,989,409 (Kurnik"). Because Kurnik does not disclose all claimed elements of claims 1 and 27, which are all of the independent claims, Kurnik does not anticipate Applicants' invention and the rejections should be withdrawn.

Applicants' claims 1-26 require, among other elements, an electrode having a thickness less than .2 micrometers for controlling flooding. Kurnik does not relate to an electrode having a thickness less than .25 micrometers. In fact, Kurnik teaches a thickness between .25 and 250 micrometers. Col. 8, lines 58-60. Kurnik further teaches the electrode should not be too thin because it would be difficult to manipulate. "Electrode assembly cannot be too thin and cannot be too small." Col. 6, lines 19-21. Therefore, Kurnik teaches away from Applicants' claimed invention, which teaches the thinner the electrode the better, including a thickness of less than .2 micrometers.

Applicants' claims 27-29 require, among other elements, an electrode having a pore size greater than 0 micrometer and less than .12 micrometer. Kurnik does not disclose, teach, or suggest an electrode having a pore size greater than 0 micrometer and less than .12 micrometer. In fact, Kurnik teaches the electrode may be non-porous, in which case there are no pores. Col. 8, lines 11-14. Hence, Kurnik teaches away from Applicants' claimed invention.

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Response to Official Action

Because Kurnik does not disclose all disclose an electrode having a thickness of less than .2 micrometers for controlling flooding or having a pore size greater than 0 micrometer and less than .12 micrometer, Kurnik does not anticipate Applicants' invention and the rejections with respect to Kurnik should be withdrawn.

Respectfully submitted,



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